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REPLY

The Examiner rejected claims 34 and 37 under 35 USC §102(b) as being anticipated by Smith et al (5,470,323) or in the alternative under 35 USC §103(a) as being obvious over Smith et al in view of Hack et al (5,874,066).

The Examiner rejected claim 38 under 35 USC §103(a) as being unpatentable over Smith et al in view of Hack et al and further in view of Discko (6,049,934).

Smith et al discloses a package system with tandem applicator pads for topical drug delivery. Two applicator pads 20, 22 are attached to the surface of a support sheet 14. A seal 34 may be provided between pads 20 and 22 in order to divide the compartment into two sub-compartments. The applicator pads 20 and 22 are arranged in a separated array on a support sheet 14. Each pad contains at least one active ingredient, preferably in combination with a suitable carrier vehicle.

Hack et al discloses a treatment for tooth hypersensitivity comprising a two-step method using a first solution of calcium or strontium salt and a second solution of a potassium oxalate.

Discko discloses a disposable dental applicator.

The present invention relates to a pre-dosed dental desensitizing system that is sealed in a package with first and second applicators that are pre-dosed with a dry, inactive

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material. Both Smith et al and Hack et al relate to the packaging of active ingredients, typically in a liquid or moist form. Smith et al specifically indicates that each pad will contain at least one active ingredient. (Smith et al, column 9, lines 51-52) Similarly, Hack et al discloses a kit with a first solution and a second solution.

Claims 34, 37, and 38 of the present application specifically recite applicators having an applicator end portion pre-dosed with a **dry, inactive material** or desensitizing material. Accordingly, the present invention is not formed by the teachings of Smith et al and Hack et al in that neither of these references, even if combined, would form the present invention as claimed, in that a dry and inactive material is placed on the applicator end portion. Accordingly, the present invention makes possible the use of a sealed package that does not require the structural integrity needed to contain a liquid or a moist applicator as disclosed in Smith et al. Smith et al specifically teaches the need for a coating to provide a non-porous gas and/or vapor barrier to the cover sheet 12. The present invention, by providing a dry inactive material on the applicator portion eliminates the need and expense of providing a non-porous gas and/or vapor barrier package, permitting less expensive materials to be used as well as easier manufacturing.

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Additionally, Smith et al teaches that the applicator pads are attached to the surface of the support sheet 14, therefore the packaging system disclosed in Smith et al would not be applicable to an applicator having an elongated handle as recited in claim 38.

New claims 39 and 40 have been added to more particularly define an embodiment of the invention. New claim 39 recites a pre-dosed material system including a flock material placed on each of the two applicator portions having a handle. The use of a flock material has been discovered to be particularly advantageous in holding inactive material within the fibers of the flock material and yet facilitates rapid reactivation and placement on a tooth to aid in performing a dental procedure. The pads disclosed in Smith et al would be of little to no benefit in a dental procedure performed in the tight confines of a patient's mouth. The present invention, as recited in claim 39, by using a flock material does not trap the dry inactive material thereon internally, but externally on the multiple fibers of the flock material which greatly facilitates its reactivation and application on a tooth. Accordingly, much more material may be transferred from the applicator to the tooth quickly and with very little waste of material. Accordingly the present invention, in utilizing a flock material, is an improvement over the pad disclosed in Smith et al that is soaked with a moist active

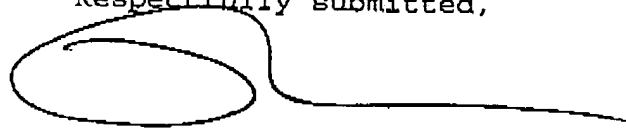
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dermatological agent. This combination of a flock material and dried inactive material in the flock material to form an improved applicator would not have been obvious in view of the references cited.

Accordingly, it is requested that the Examiner enter this Amendment and Reply, reconsider the present application, and indicate allowable subject matter.

Respectfully submitted,



Paul A. Fattibene
Attorney for Assignee
Reg. No. 31,694

2480 Post Road
Southport, CT 06890
Tel. (203)255-4400
Fax (203)259-0033

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